

### **Remarks**

The above Amendments and these Remarks are in reply to the Office Action mailed July 27, 2007. Claims 1-39 were pending in the Application prior to the outstanding Office Action. Claims 2, 9, 13, 18-30, 32-34, 36 and 37 are being amended, claims 14, 31, 38 and 39 are being canceled, and new claims 40-42 are being added. Thus, claims 1-13, 15-30, 32-37 and 40-42 remain for the Examiner's consideration. In view of the above amendments and the following remarks, reconsideration and withdrawal of the outstanding objections and rejections are respectfully requested.

#### **I. Specification**

The specification was objected to for using the trademark "Java" without capitalizing the trademark and accompanying the trademark with generic terminology. The trademark Java appeared in the specification over 60 times. According, Applicants are submitting a replacement specification herewith which now capitalizes each use of the trademark Java. Additionally, in paragraph [0019] of the replacement specification, generic terminology for the trademark is provided. More specifically, paragraph [0019] has been amended to include the parenthetical "(JAVA is an object oriented programming language which was developed by and is a trademark of Sun Microsystems of Santa Clara, California)".

Also attached hereto is a marked up version of the replacement specification, which shows changes to the specification.

No new matter has been added.

It is respectfully requested that this objection be withdrawn.

#### **II. Drawings**

The drawings were objected to because reference characters 118 and 108 in Figure 1 were both used to designate Handle MIS Reply. As is clear from paragraph [0053] of the specification, reference character 118 corresponds to "the processing device" shown below the Handle MIS Reply 108 in Figure 1. A Replacement Sheet for Figure 1, with reference character 118 in its correct location is submitted herewith. Additionally, reference character 100 was moved a little lower, to be closer to the portion of the figure to which it corresponds. No new

matter has been added. Accordingly, it is respectfully requested that this objection be withdrawn.

### **III. Rejections Under 35 U.S.C. 112, second paragraph**

Claims 2, 9, 10, 13, 14, 19, 26, 27, 30, 31, 36 and 37 were rejected under 35 U.S.C. 112, second paragraph, for the following reasons.

More specifically, claims 13 and 30 were rejected for lack of antecedent basis. The claims have been amended to overcome this rejection.

Claims 9 and 26, and claims 14 and 31 were rejected for allegedly including unclear and indefinite language. Applicants do not necessarily agree with the rejection of these claims. However, Applicants have amended claims 9 and 26, and canceled claims 14 and 31, to expedite prosecution.

Additionally, claims 2, 13, 19, 30, 36 and 37 were rejected for including the trademark Java. These claims have been amended to overcome this rejection by referring to an object oriented programming language, rather than to the trademark Java.

In view of the above, Applicants respectfully request that this rejection be reconsidered and withdrawn.

### **IV. Rejections Under 35 U.S.C. 101**

Claims 18-34, 37 and 39 were rejected under 35 U.S.C. 101 for allegedly being directed to non-statutory subject matter. The claims have been amended in a manner that is believed to overcome this rejection. Accordingly, it is respectfully requested that this rejection be reconsidered and withdrawn.

## **V. Summary of Prior Art Rejections**

Claims 1-3, 18-20 and 35-39 were rejected under 35 U.S.C. 102(a) as allegedly being anticipated by a reference by Plaindoux, entitled “XML transducers in Java” (hereafter referred to as “Plaindoux”).

Claims 4-6, 12-14, 21-23 and 29-31 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Plaindoux in view of U.S. Patent No. 6,516,322 to Meredith (hereafter referred to as “Meredith”).

Claims 7, 8, 11, 24, 25 and 28 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Plaindoux in view of U.S. Patent No. 7,184,967 to Mital (hereafter “Mital”). It is noted that the Mital reference was incorrectly cited as No. 7,184,867.

Claims 15-17 and 32-34 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Plaindoux in view of a reference by van der Aalst entitled “XML Based Schema Definition for Inter-Organization Workflow” (hereafter referred to as “Aalst”).

## **VI. Discussion of Claims**

### **A. Claims 1-17**

Exemplary claim 1 is reproduced below for the convenience of the Examiner.

1. A method for extending an existing programming language, comprising the steps of:

selecting an existing programming language; and,

extending an existing programming language by adding at least one language construct defined by a second language.

Claim 1 includes that step of “extending an existing programming language by adding at least one language construct defined by a second language”. As is clear from original dependent claims 2 and 3, the “existing programming language” can be JAVA, and the “second language” (which need not be a “programming” language) can be XML.

In the Office Action, claims 1-3 were rejected as allegedly being anticipated by Plaidoux. More specifically, the Office Action alleged that the features of claim 1-3 were disclosed in Paragraph 2 of Plaidoux's Abstract, and in paragraphs 2 and 4 of Section 1 (the Introduction) of Plaidoux. Applicants respectfully disagree with this rejection for at least the reasons set forth below.

As is explained in the specification, the Applicants' invention enables developers that are used to using a specific programming language (e.g., JAVA) because they are familiar with that language, to extend the language by adding constructs (e.g., parallelism, asynchrony, loops over asynchronous events, and flexible handling of XML) that are missing from the programming language (e.g., JAVA) but desirable.

A unique feature of claim 1 is that the existing programmable language is extended by adding a language construct **"defined by a second language"** (emphasis added). For example, JAVA programming language can be extended by adding a construct **defined by** XML. This feature is not taught or suggested by Plaidoux.

Paragraph 2 of Plaidoux's Abstract states that XML transducers are provided to provide a high-level integration of XML to Java, to give a homogenous view of XML within Java code, apparently to manipulate XML objects.

Paragraph 2 of section 1 of Plaidoux states that "AxE is a simple macro language one could see as Java extension [that] brings an expressive level dedicated for XML manipulation." In other words, this portion of Plaidoux appears to state that AxE is analogous to a Java extension for manipulation XML instances. That is, AxE extends JAVA such that JAVA can be used manipulate XML instances. This is quite different from what is being claimed.

Plaidoux is extending a programming language (i.e., JAVA) so that the programming language (i.e., JAVA) can manipulate a second language (i.e., XML). In contrast, invention of claim 1 is "extending an existing programming language by adding at least one language construct defined by a second language". For example, the invention of claim 1 is extending JAVA programming language by adding a least one language construct defined by XML. The Applicants' invention (including the invention of claim 1) is **not** modifying XML. In fact, the Applicants' invention is doing quite the opposite. The invention of claim 1 is enabling JAVA to be extended by adding an XML construct. **There is no modification of XML being performed**

**in the invention of claim 1. Rather, the invention of claim 1 allows the construct to be defined by XML, thereby not requiring the modification of XML.**

For at least the reasons set forth above, Applicants respectfully request that the 102(a) rejection of claim 1, and its dependent claims 2 and 3, be reconsidered and withdrawn.

Further, Applicants assert that none of the other applied references teach or suggest the deficiencies of Plaindoux that were described above in the discussion of claim 1.

Applicants assert that dependent claims 4-13 and 15-17 are also patentable over the cited references for at least the reason that these claims depend from claim 1, and thus, for at least the reasons discussed above with regards to claim 1.

#### **B. Claims 18-34**

Because independent claim 18 requires a “means for extending an existing programming language by adding at least one language construct defined by a second language”, Applicants believe that claim 18, and its dependent claims 19-30 and 32-34, are patentable over the cited reference for similar reasons to those discussed above with regards to independent claim 1 and its dependent claims.

#### **C. Claims 35, 36 and 37**

Independent claim 35 requires “object code configured to: extend an existing programming language by adding a language construct defined by a second language”.

Independent claim 36 requires the steps of “selecting objected oriented programming language; and, extending the object oriented programming language by adding at least one language construct defined by XML.”

Independent claim 37 requires “means for extending the object oriented programming language by adding at least one language construct defined by XML.”

For reasons similar to those discussed above with regards to claim 1, Applicants respectfully assert that the cited references do not teach or suggest the above mentioned features of claims 35, 36 and 37. Accordingly, it is requested that the rejection of these claims be reconsidered and withdrawn.

**D. Claims 40-42**

Applicants respectfully request that new claims 40-42 be examined and allowed.

**VII. Discussion of Some of the Prior Art Made of Record and Not Relied Upon**

Applicants noticed that U.S. Patent No. 6,754,844 to Lucas et al. (hereafter referred to as “Lucus”) was cited to “teach programming language extensions for processing XML objects and related applications”. Applicants note that Lucas appears to provide programming language extensions that facilitate manipulation of XML objects in a native programming language, such as JAVA (see column 2, lines 39-42 of Lucas). In contrast, Applicants’ invention is “extending an existing programming language by adding at least one language construct **defined by** a second language”. For example, as explained above, the Applicants’ invention can extend JAVA programming language by adding a least one language construct **defined by** XML. The Applicants’ invention is not modifying XML. In fact, the Applicants’ invention is doing quite the opposite. The Applicants’ invention is enabling JAVA to be extended by adding an XML construct. There is no modification of XML being performed in the Applicants’ invention. Rather, the Applicants’ invention allows the construct to be defined by XML, thereby not requiring the modification of XML.

### **VIII. Conclusion**

In view of the above amendments and remarks, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration thereof is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge the required fees and any underpayment of fees or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this reply, including any fee for extension of time, which may be required.

Respectfully submitted,

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